

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILED

for the

Southern District of Texas

MAR - 8 2019

David J. Bradley, Clerk

United States of America
v.
Martin MARTINEZ, YOB: 1991, USCCase No. *M-19-0570-M**Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 7, 2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*21 U.S.C. 841 (a)(1)
21 U.S.C. 841 (b)(1)(A)Knowingly and Intentionally Possess with Intent to Distribute approx. 533
grams of Methamphetamine, a Schedule II Controlled Substance

This criminal complaint is based on these facts:

See Attachment A.

☒ Continued on the attached sheet.*Approved by David A. Lindenm-R*

Sworn to before me and signed in my presence.

Date: 03/08/2019 *2:55 pm*City and state: McAllen, Texas*Complainant's signature*

Arturo Casanova Jr., DEA Task Force Officer

Printed name and title*Judge's signature*

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

ATTACHMENT "A"

On December 07, 2018, at approximately 10:51 a.m., Mission Police Investigator Luis Gutierrez responded to area of Bryan Rd. and Expressway 83 in regards to a disturbance. Inv. Gutierrez observed a vehicle matching description, (described as a red vehicle) following a male subject who was walking carrying a black back pack. Inv. Gutierrez made contact with the male subject later identified as Martin MARTINEZ, where he identified himself a Mission Police Investigator.

MARTINEZ advised the Investigator he was arguing with his wife and decided to exit the vehicle on Frontage Rd to avoid any more problems. Inv. Gutierrez requested MARTINEZ's identification card. MARTINEZ stated he did not have any identification on him and stated he didn't want any problems. The Investigator requested MARTINEZ to remove his back pack and sit on the floor for his safety, but he refused to comply. MARTINEZ began walking away from the investigator, as he advised MARTIENZ to stop. MARTINEZ stated, "They are going to kill me" and began running east bound. Inv. Gutierrez gave chase, yelling out at MARTINEZ multiple times to stop. Inv. Gutierrez lost visual of MARTINEZ, but quickly located him behind one of the businesses near the area. Inv. Gutierrez ordered MARTINEZ to stop running and get on the ground, but he refused to comply and continued running in a south west direction through an open field. Shortly after, the investigator was able to catch up to MARTINEZ and apprehend him.

Mission Police Office Juan S. Mendez arrived at location and located a plastic bag containing a white powdery substance (later fielded tested positive for crystal methamphetamine) inside the back pack MARTINEZ was carrying. MARTINEZ was arrested by Mission Police Officers for Possession of a Controlled Substance. The weight of the methamphetamine was approximately 533.9 grams.

Drug Enforcement Administration Agents/Task Force Officers made contact with MARTINEZ regarding the seizure. Agents read MARTINEZ his Miranda Warnings, which he waived, and he provided a statement. MARTINEZ told agents he was going to get paid \$500 for transporting the half kilo of methamphetamine he possessed to a male subject who he only identified as Oscar.